

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AMY ENSOR,)	4:05CV3110
)	
Plaintiff,)	
vs.)	ORDER
)	
TECUMSEH PUBLIC SCHOOLS, et al.,)	
)	
Defendants.)	
)	
)	

Inasmuch as Plaintiff has filed an amended complaint,¹

IT IS ORDERED that the motion to dismiss and to strike (filing 15) filed by Defendant Tecumseh Public Schools with respect to Plaintiff's original complaint is denied without prejudice, as moot.

August 17, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge

¹ "A party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served . . ." Fed. R. Civ. P. 15(a). A motion to dismiss is not a "responsive pleading" for purposes of this rule. Winfrey v. Brewer, 570 F.2d 761, 764 n. 4 (8th Cir. 1979). See also Fed. R. Civ. P. 7(a).